IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 3RD JANUARY 2007 / 13TH POUSHA 1928

WP(C).No. 11258 of 2006(M)

PETITIONER:

K.L.JOHNSON,
S/O.LEIN DCRUZ, AGED 67 YEARS,
NIRMALA SADANAM, PADAPPAKARA,
KUNDARA, KOLLAM DISTRICT.

BY ADV. SRI.K.L.JOHNSON (PARTY-IN-PERSON)

RESPONDENTS:

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1. STATE OF KERALA,
REP. BY THE CHEIF SECRETARY,
GOVERNMENT OF KERALA,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE REVENUE DIVISIONAL OFFICER,
KOLLAM.

3. THE DISTRICT PLANNING OFFICER,
COLLECTORATE, KOLLAM.

4. THE DEPUTY DIRECTOR OF PANCHAYATH,
KOLLAM.

5. THE BLOCK OFFICER,
CHITTUMALA BLOCK,
KALLADA, KOLLAM DISTRICT.

6. THE PERAYAM GRAMA PANCHAYATH,
REP. BY ITS SECRETARY,
PERAYAM, MULAVANA.P.O, KOLLAM.

7. THE PERAYAM GRAMA PANCHAYATH COMMITTEE,
REP. BY ITS PRESIDENT, PERAYAM,
MULAVANA.P.O, KOLLAM.

8. THE CHITTUMALA BLOCK PANCHAYATH
COMMITTEE,
REP. BY ITS PRESIDENT, CHITTUMALA,
KALLADA, KOLLAM DISTRICT.

9. THE DISTRICT COLLECTOR, KOLLAM

(ADDL.R9 IS IMPLEADED AS PER ORDER DATED 13.9.2006 IN W.P(C)

BY ADV. SRI.C.RAJENDRAN

BY G.P. SRI.MOHAMMED ANSAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.11258/2006

APPENDIX

PETITIONER'S EXHIBITS;

EXT.P1: COPY OF THE RATIION CARD NO.1207174705 ISSUED TO THE PETITIONER.

EXT.P2: COPY OF THE COMMUNICATION NO. C2-4023/05 DATED 1.9.05 ISSUED BY THE 4TH RESPONDENT.

EXT.P3: COPY OF THE COMMUNICATION NO. 5814/05.L.DIS DATED 18.10.2005

EXT.P4: COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONENT.

EXT.P5: COPY OF THE COMMUNICATION NO. G.5814/05/L.DIS DATED 11.11.2005.

EXT.P6: COPY OF THE COMMUNICATION NO. PLG. 1578/01/GEC DATED 28.11.2005 ISSUED BY THE 3RD RESPONDENT.

EXT.P7: COPY OF THE COMMUNICATION NO. A1-340/05 ISSUED BY THE 6TH RESPONDENT.

EXT.P8: COPY OF THE COMMUNICATION NO. A1-340/66 DATED 9.12.2005

EXT.P9: COPY OF THE COMMUNICATION NO. PLG. 1578/01/GEC DATED 18.1.2006

EXT.P10: COPY OF THE ORDER ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.

EXT.P11: COPY OF THE DECISION NO. 11 (II) DATED 21.2.2006.

EXT.P12: COPY OF THE CERTIFICATE OF THE KERALA STATE ELECTRICITY BOARD.

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 11258 of 2006

Dated this day 3rd of January, 2007

JUDGMENT

The petitioner may be having a genuine grievance. However, in view of the contentions which are now raised through the counter affidavit submitted by the RDO which is supported by the learned counsel for the Panchayat also, I am of the view that the petitioner should seek redressal of his grievance from the local Civil Court. Hence I relegate the petitioner to seek appropriate remedies from the Civil Court. If the petitioner moves the competent Civil Court having jurisdiction over the area within 6 weeks of receiving a copy of this judgment, the learned Munsiff or sub Judge as the case may be will exclude the time taken for the pendency of this writ petition before this court and till the institution of the suit for the purpose of Section 14 of the Indian Limitation Act.

PIUS C.KURIAKOSE
Judge

dpk